

February 7, 2020

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By ECF

Hon. Katharine H. Parker  
United States Magistrate Judge, Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 750  
New York, New York 10007-1312

Re: *Pearlstein v. BlackBerry Ltd.*, No. 13 Civ. 7060 (CM) (KHP) (S.D.N.Y.)

Dear Judge Parker:

In accordance with paragraph III.d. of Your Honor's *Individual Practices in Civil Cases*, Defendants respectfully request confidential treatment of an exhibit that Defendants filed with a letter, dated February 7, 2020 (ECF No. 433). This exhibit contains an instant message that the Federal Bureau of Investigation produced to Defendants on a confidential basis, as ordered by the United States District Court for the District of Massachusetts. *See Pearlstein, et al. v. BlackBerry, et al.*, No. 19-MC-91091, ECF No. 19, at 4 n.1. (Nov. 18, 2019 D. Mass.) ("All such documents will be subject to the Protective Order in the *Pearlstein* action."). Defendants inadvertently filed the exhibit on the public docket when, in fact, it should have been filed under seal. Defendants respectfully request that the Court grant confidential treatment to the exhibit, remove it from the public docket, and file it under seal.

Respectfully submitted,

/s/ James J. Beha II

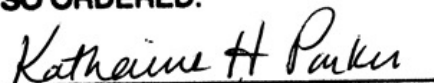
James J. Beha II

cc: All counsel of record (via ECF)

Defendants' application is granted.  
Defendants are directed to re-file an  
appropriately sealed copy of the  
document at Doc. No. 433.

The Clerk of Court is respectfully asked to  
remove the document currently at Doc.  
No. 433.

**SO ORDERED:**

02/10/20   
HON. KATHARINE H. PARKER  
UNITED STATES MAGISTRATE JUDGE